

**INTERNATIONAL SEARCH REPORT**

10 OCT/PTO 30 DEC. 2004

Intern. Application No.  
PCT/PT 03/06746

**A. CLASSIFICATION OF SUBJECT MATTER**  
IPC 7 A61K31/495 A61P31/12

According to International Patent Classification (IPC) or to both national classification and IPC

**B. FIELDS SEARCHED**

Minimum documentation searched (classification system followed by classification symbols)  
IPC 7 A61K

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practical, search terms used)  
EPO-Internal, WPI Data, PAJ, BIOSIS, MEDLINE, EMBASE, CHEM ABS Data

**C. DOCUMENTS CONSIDERED TO BE RELEVANT**

| Category * | Citation of document, with indication, where appropriate, of the relevant passages  | Relevant to claim No. |
|------------|---|-----------------------|
| X          | WO 98 10764 A (UCB SA ;RIHOUX JEAN PIERRE (BE); KOENIG BRIGITTE (DE); KOENIG WOLF)<br>19 March 1998 (1998-03-19)<br>page 2, line 15-22<br>---   | 1-10                  |
| X          | KOENIG W ET AL: "The impact of cetirizine on microbial and viral infections"<br>CLINICAL AND EXPERIMENTAL ALLERGY,<br>vol. 27, no. SUPPL. 2,<br>November 1997 (1997-11), pages 33-37,<br>XP009018910<br>ISSN: 0954-7894<br>page 35, left hand column, first and<br>second full paragraph<br>---<br>-/-- | 1-10                  |

☒ Further documents are listed in the continuation of box C.

☒ Patent family members are listed in annex.

\* Special categories of cited documents:

- \*A\* document defining the general state of the art which is not considered to be of particular relevance
- \*E\* earlier document but published on or after the international filing date
- \*L\* document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)
- \*O\* document referring to an oral disclosure, use, exhibition or other means
- \*P\* document published prior to the international filing date but later than the priority date claimed

- \*T\* later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention
- \*X\* document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone
- \*Y\* document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.
- \*A\* document member of the same patent family

Date of the actual completion of the international search

10 October 2003

Date of mailing of the international search report

21/10/2003

Name and mailing address of the ISA

European Patent Office, P.B. 5818 Patentlaan 2  
NL - 2280 HV Rijswijk  
Tel. (+31-70) 340-2040, Tx. 31 651 epo nl,  
Fax: (+31-70) 340-3016

Authorized officer

Borst, M

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## C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT

| Category * | Citation of document, with indication, where appropriate, of the relevant passages   | Relevant to claim No. |
|------------|--|-----------------------|
| X          | GB 2 324 242 A (DASTIDAR SUJATA GHOSH<br>;CHAKRABARTY ATINDRA NATH (IN))<br>21 October 1998 (1998-10-21)<br>claim 1-4  | 1-9                   |
| X          | GB 2 311 940 A (UCB SA)<br>15 October 1997 (1997-10-15)<br>page 3, line 21 - page 6, line 2  | 1-10                  |
| A          | LIU ET AL: "Viral myocarditis: Balance<br>between viral infection and immune<br>response"<br>CANADIAN JOURNAL OF CARDIOLOGY, PULSUS<br>GROUP, INC, XX,<br>vol. 10, no. 12,<br>1 October 1996 (1996-10-01), pages<br>935-943, XP002072741<br>ISSN: 0828-282X<br>page 940, left hand column, last but one<br>paragraph | 1-10                  |
| A          | BERNHEIM J ET AL: "CETRIRIZINE: MORE THAN<br>AN ANTIHISTAMINE?"<br>NEW DRUGS FOR ASTHMA THERAPY, XX, XX,<br>1991, pages 269-293, XP002025611<br>the whole document   | 1-10                  |

# INTERNATIONAL SEARCH REPORT

International application No.  
PCT/EP 03/06746

## Box I Observations where certain claims were found unsearchable (Continuation of Item 1 of first sheet)

This International Search Report has not been established in respect of certain claims under Article 17(2)(a) for the following reasons:

1. ☐ Claims Nos.:  
because they relate to subject matter not required to be searched by this Authority, namely:
  
2. ☒ Claims Nos.:  
because they relate to parts of the International Application that do not comply with the prescribed requirements to such an extent that no meaningful International Search can be carried out, specifically:  
see FURTHER INFORMATION sheet PCT/ISA/210
  
3. ☐ Claims Nos.:  
because they are dependent claims and are not drafted in accordance with the second and third sentences of Rule 6.4(a).

## Box II Observations where unity of invention is lacking (Continuation of Item 2 of first sheet)

This International Searching Authority found multiple inventions in this International application, as follows:

1. ☐ As all required additional search fees were timely paid by the applicant, this International Search Report covers all searchable claims.
2. ☐ As all searchable claims could be searched without effort justifying an additional fee, this Authority did not invite payment of any additional fee.
3. ☐ As only some of the required additional search fees were timely paid by the applicant, this International Search Report covers only those claims for which fees were paid, specifically claims Nos.:
4. ☐ No required additional search fees were timely paid by the applicant. Consequently, this International Search Report is restricted to the invention first mentioned in the claims; it is covered by claims Nos.:

### Remark on Protest

- ☐ The additional search fees were accompanied by the applicant's protest.
- ☐ No protest accompanied the payment of additional search fees.

## FURTHER INFORMATION CONTINUED FROM PCT/ISA/ 210

## Continuation of Box I.2

The independent claims on file all relate to a compound selected from 2-'4-(diphenylmethyl)-1-piperazinyl!-acetic acid or amide derivative, optical isomer or salt thereof. In contrast thereto dependent claim 10 is directed to N-ethoxy substituted diarylmethylpiperazines, which do not fall within the generally accepted meaning of the term 2-'4-(diphenylmethyl)-1-piperazinyl!-acetic acid or amide derivative as it is used in the independent claims. Apparently the application tries to give said term a particular quite broader meaning as defining compounds according to formula (I) (cf. application on file page 4, line 12-28). As long as this particular definition is not made part of the claims the requirements for clarity are not fulfilled (Article 6 PCT). Thus, for the search the independent claims have been considered as relating to compounds according to formula (I).

# INTERNATIONAL SEARCH REPORT

Information on patent family members

International Application No

PCT/03/06746

| Patent document<br>cited in search report |   | Publication<br>date | Patent family<br>member(s) | Publication<br>date |
|---|---|---------------------|----------------------------|---------------------|
| WO 9810764                                | A | 19-03-1998          | AU 717354 B2               | 23-03-2000          |
|   |   |                     | AU 4621397 A               | 02-04-1998          |
|   |   |                     | BR 9712033 A               | 18-01-2000          |
|   |   |                     | CN 1230116 A               | 29-09-1999          |
|   |   |                     | CZ 9900830 A3              | 16-06-1999          |
|   |   |                     | EA 1262 B1                 | 25-12-2000          |
|   |   |                     | WO 9810764 A1              | 19-03-1998          |
|   |   |                     | EP 0936909 A1              | 25-08-1999          |
|   |   |                     | HU 9904173 A2              | 28-05-2000          |
|   |   |                     | JP 2001500143 T            | 09-01-2001          |
|   |   |                     | KR 2000036025 A            | 26-06-2000          |
|   |   |                     | NO 991164 A                | 10-03-1999          |
|   |   |                     | NZ 334571 A                | 27-10-2000          |
|   |   |                     | PL 332316 A1               | 30-08-1999          |
|   |   |                     | TR 9900523 T2              | 21-05-1999          |
|   |   |                     | US 6413970 B1              | 02-07-2002          |
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| GB 2324242                                | A | 21-10-1998          | NONE                       |                     |
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|   |   |                     | AU 723364 B2               | 24-08-2000          |
|   |   |                     | AU 1774097 A               | 16-10-1997          |
|   |   |                     | BR 9701686 A               | 10-11-1998          |
|   |   |                     | NZ 314521 A                | 29-09-1999          |
|   |   |                     | US 2001020023 A1           | 06-09-2001          |